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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: June 29, 2021

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Neil Cronin, Chief Planner for Current Planning

Cc: Rogers & Company, Inc, Agent
David Boyajian, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to allow a 28-unit multi-family dwelling and to extend a nonconforming front setback

Applicant: David Boyajian	
Site: 967 Washington Street, 92 & 96 Walker Street	SBL: 21033 0001, 21033 0002, 21033 0003
Zoning: MR3	Lot Area: 34,210 square feet (combined)
Current use: Commercial and residential	Proposed use: 28-unit multi-family dwelling

BACKGROUND:

The subject site is comprised of three lots to be combined totaling 34,210 square feet at the corner of Washington and Walker Streets. The property on Washington Street is improved with a one-story mixed commercial building. The two parcels on Walker Street are single- (92 Walker Street) and two-family dwellings (96 Walker Street) built in 1910 and 1920. The petitioner proposes to raze the buildings and construct a 28-unit three-story multi-family dwelling with underground parking.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Rogers & Company, Inc, dated 5/11/2021
- Existing Conditions Plan, signed and stamped by Joseph R. Porter, surveyor, dated 6/29/2020, revised 9/29/2020
- Proposed Plot Plan, prepared by Joseph R. Porter, surveyor, dated 4/23/2021, revised 6/11/2021
- FAR calculation, signed and stamped by Alan J. Mayer, architect, dated 5/9/2021
- Floor Plans and Elevations, signed and stamped by Alan J. Mayer, architect, dated 5/26/2021

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner intends to raze the three buildings and combine the lots to construct a three-story 28-unit multi-family dwelling with underground parking. Per section 3.4.1, a special permit is required to allow a multi-family dwelling in the Multi Residence 3 district.
2. The one-story building at 967 Washington Street has a nonconforming front setback of 1.8 feet where 15 feet is required per section 3.2.6. The petitioner proposes to raze the building and construct a new building with a proposed front setback of 8.8 feet, altering the nonconforming setback and extending it further along Washington Street requiring a special permit per section 7.8.2.C.2.
3. The petitioner proposes to construct 28 dwelling units with 30 parking stalls in an underground garage. Per section 5.1.4, two parking stalls are required per dwelling unit, resulting in a requirement of 56 stalls for the 28 units. A waiver of 26 parking stalls is required per sections 5.1.4 and 5.1.13.
4. Per section 5.11.4.B.5, 15% of the 28 proposed rental units must be affordable to 50-80% Area Median Income and 2.5% must be available to 110% Area Median Income. The petitioner must meet the requirement by providing four inclusionary units at 50-80% AMI and one unit at 110% AMI.
5. Proposed development in any zoning district that includes the construction or substantial reconstruction of one or more buildings totaling 20,000 square feet or more of gross floor area that also requires a special permit are required to meet the sustainable development requirements of section 5.13. The petitioner intends to meet the requirements of this section with LEED or Passive House certification and by providing a minimum of three electric vehicle charging stations.

MR3 Zone	Required	Existing	Proposed
Lot Size	10,000 square feet	34,210 square feet	No change
Frontage	80 feet	374 feet	No change
Setbacks			
• Front (Washington St)	15 feet	1.8 feet	8.8 feet
• Front (Walker St)	15 feet	21.2 feet	18.2 feet
• Side	11.04 feet (1/3 bldg ht)	8.3 feet	11.9 feet
• Rear	16.57 feet (1/2 bldg ht)	33.7 feet	20.7 feet
Building Height	42 feet	27 feet	33.1 feet
Max Number of Stories	3	2.5	3
Lot Area Per Unit	1,200 square feet	NA	1,222 square feet
Maximum Lot Coverage	45%	NA	44.3%
Minimum Open Space	30%	NA	52%

See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.1	Request to allow a multi-family dwelling	S.P. per §7.3.3
§3.2.6 §7.8.2.C.2	Request to alter and extend a nonconforming front setback	S.P. per §7.3.3
§5.1.4 §5.1.13	Request to waive 26 parking stalls	S.P. per §7.3.3